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IAB FO2280666

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 911-00985-2199-181	Date: 1/18/11	Time: 1400 Hrs.	
Location: [redacted] Dearborn		City or Station: South Gate	
Bureau/Station/Facility: OSS/CEN		Admin. Investigation: YES ☐ NO ☒	
Type of Force: Other weapon - vehicle			
Deputy Injury: YES ☐ NO ☒	Suspect Injury YES ☒ NO ☐		
☐ Call	☒ Observation	☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: YES ☒ NO ☐	Person Notified: Lt. Ault	Emp: [redacted]	IAB Roll Out: YES ☒ NO ☐

Involved Employee

E 1

Employee #	Last Name	First Name	Middle Name
[redacted]	Sarti	Fernando	M.

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	H	OSS	210G6

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	5' 7"	175 lbs.

	Coroner Case #	
☐ Injured ☐ Treated ☐ Admitted Hospital:		Directed Force ☐ Significant Force ☒

E__

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

	Coroner Case #	
☐ Injured ☐ Treated ☐ Admitted Hospital:		Directed Force ☐ Significant Force ☐

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☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

	Coroner Case #	
☐ Injured ☐ Treated ☐ Admitted Hospital:		Directed Force ☐ Significant Force ☐

☐ Additional Involved Employees

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	White	Richard	D.	Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Bardon	Joshua	A.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Morales	Guillermo	J.

Guillermo J. Morales
Watch Commander (**Print Name**) — Watch Commander's **Signature**: — Emp #: — Date

IAB Sgt. Patrick Kim
Supervisor Completing Form: (**Print Name**) — Emp #: [redacted] — Copy Provided to Employee by: — Emp #:

Capt. Robert M. Rifkin
Unit Commander (**Print Name**) — Unit Commander's **Signature**: — Emp #: — Date

DISCOVERY Use Only
FO#

Original: Discovery Unit
Copy: Unit Commander

Supervisor's Report on Use of Force
SUSPECT INFORMATION
911-00985-2199-181

Suspect Information

S 1

Last Name: Torres | First Name: Peter | Middle Name:

AKA Last Name: "Spookie" | First Name: | Middle Name:

Sex: [X] Male [ ] Female | Race: H | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: [redacted] | Home Phone: [redacted] | Age: 27 | Height: 5' 9" | D.O.B. 11-01-83 | Weight: 165 lbs | Armed? [ ]

Booking #: 2612553 | Primary Charge Code: 11351 HS | Secondary Charge Code: 148(a)(1) PC | Criminal History [redacted]

EMT in attendance? [ ] YES [X] NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? [ ] Rec'd Treatment At: St. Francis Medical Center | Coroner Case #: ______ | Mental History [X]

By Doctor: Charles Worley | Address: 3630 E. imperial Hwy, Lynwood CA 90262 | Phone #: (310) 900-4525

Under Influence: [X] YES [ ] NO Substance: Opiate | Mental Illness [ ]

Suspect Interview

Date: 01-18-11 | Time: 2126 | [X] Audiotape: | [ ] Videotape: | [X] Photos of Injuries: | [X] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S __

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO Name: ______ Unit ______ Phone #: ______

Hospital Admission? [ ] Rec'd Treatment At: ______ Coroner Case #: ______ Mental History [ ]

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: [ ] YES [ ] NO Substance: ______ | Mental Illness: [ ]

Suspect Interview

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S __

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? [ ] Rec'd Treatment At: ______ Coroner Case #: ______ Mental History [ ]

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: [ ] YES [ ] NO Substance: ______ | Mental Illness [ ]

Suspect Interview

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

[ ] Additional Suspects Involved

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
9 1 1 - 0 0 9 8 5 - 2 1 9 9 - 1 8 1

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Jordan III	Jack	S.
[redacted]	Roth	Grant	E.

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.

☐ Additional Witness

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Torres	S#1	Sarti	E#1	UC	NN	
Sarti	E#1	Torres	S#1	OV	FR	KN

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

SIGNIFICANT USE OF FORCE

- OTHER WEAPON - VEHICLE

UNIT: OPERATION SAFE STREETS

DATE / TIME OF INCIDENT: JANUARY 18, 2011 (TUESDAY) / 1400 HOURS

LOCATION: [redacted] DEARBORN AVENUE, SOUTH GATE

URN: 911-00985-2199-181

IAB #: FO2280666

SYNOPSIS

Detectives Fernando Sarti (driver), Jack Jordan (front passenger) and Grant Roth (rear passenger) were driving southbound Dearborn Avenue in an unmarked unit in the Florencia 13 gang injunction zone areas, which includes South Gate, Huntington Park, and several unincorporated County areas.

They saw Suspect Torres, traveling on a bicycle in the same direction on a residential street, driving erratically near parked vehicles. As they drove closer, Suspect Torres dropped a paper object onto the ground and made jerking motions around his waistband with his right hand. Detective Sarti activated the red detention light and sounded the air horn, which Suspect Torres ignored. Detective Jordan shouted verbal commands out of the front passenger window at Suspect Torres to stop, which he also ignored.

Detectives Sarti and Jordan perceived Suspect Torres was arming himself with a handgun. Detective Sarti accelerated the vehicle so the front bumper contacted the rear tire of Suspect Torres' bicycle, causing Suspect Torres to tumble over the handlebars and onto the ground. All three deputies exited the radio car and held Suspect Torres at gunpoint and handcuffed him without further incident.

The discarded object was recovered, which contained five balloons of tar heroin. No weapon was recovered. Suspect Torres was transported to Saint Francis Medical Center where he was treated for a fracture to his left tibia bone and a swollen left elbow, which prompted an IAB notification.

INVOLVED PERSONNEL AND EMPLOYEE WORK HISTORY

Deputy Fernando Sarti, #

Date of employment	09-15-97
Date assigned to patrol	
Completed patrol training	
Prior shooting incidents	
Prior founded force incidents	



SUSPECT INFORMATION

Peter Torres
Male, Hispanic, Age 27, DOB: 11-01-1983, Booking #2612553, 5' 9", 165 lbs

Gang affiliation: Florencia 13
Monikers: Spooky, Chucky, Whisper, Moreno

CII # MAIN # FBI #

Suspect Torres' criminal history Refer to Suspect Torres' Consolidated Criminal History Report in the Miscellaneous Documents section for detailed information.

WITNESSES

Detective Jack S. Jordan III, #

Detective Grant E. Roth, #

INJURIES

Suspect Torres received treatment at Saint Francis Medical Center where x-ray results revealed a fracture to his left tibia. His left elbow was swollen and appeared to be bruised. Refer to Suspect Torres' medical assessment **[EXHIBIT A]** for more detailed information.

No deputies were injured.

PHYSICAL EVIDENCE

There was no physical evidence.

INVESTIGATOR'S OBSERVATIONS

The scene was not preserved at the time IAB investigators responded to the incident. There were no investigator's observations.

The scene of the incident is located on a two-lane residential district with single family homes on the east and west sides of the street.

WEAPONS USED BY DEPUTY PERSONNEL

Impact weapon (vehicle).

WEAPONS USED BY SUSPECT

None

PROPERTY DAMAGE

None

CRIMINAL CHARGES FILED

Charges filed: Felony possession of a controlled substance 11350(a) HS. Received two years State Prison on March 4, 2011.

INVOLVED AND WITNESS DEPUTY STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions.

Detective Fernando Sarti

Detective Sarti told IAB investigators he was driving in an unmarked vehicle with Detectives Jordan and Roth in the area where Florencia gang members have a court injunction. Suspect Torres was on a bicycle **[EXHIBIT B]** in front of them, traveling in the same direction at a slow pace as he was looking into parked vehicles and riding in a swerving pattern. Detective Sarti stated he attempted to detain Suspect Torres for a burglary investigation and also for possibly being under the influence. When he activated the solid red light and honked the horn, Suspect Torres looked over his right shoulder at him, turned back and began peddling faster away from them. Detective Sarti stated he continued to follow Suspect Torres and yelled out the window to stop his bike. Suspect Torres refused to comply and continued to look back at him and simultaneously tugged on his waistband area in an up and down jerking motion.

Detective Sarti stated he heard Detective Jordan say, "I think he has a gun!" He continued to stay behind Suspect Torres and screamed at him, "Stop the bike! Stop the bike!" Suspect Torres continued to tug on his pants, at which time a card fell from his person and onto the ground. Suspect Torres rode away from them and continued to tug on his waistband area of his pants. It's at this time Detective Sarti believed Suspect Torres is arming himself to assault them. Detective Sarti stated he took into account Suspect Torres' superior maneuverability on a bicycle and feared that Detective Roth's safety could be jeopardized being seated in the rear, behind the cage, with the inside door handles intentionally rendered inoperable.

Detective Sarti stated at this time, his focus was to get Suspect Torres off the bike. He bumped the bicycle's back tire with the front bumper of the vehicle **[EXHIBIT C]**, causing Suspect Torres to fall. They detained Suspect Torres at gunpoint and handcuffed him without further incident. Detective Sarti stated he retrieved the card which contained five

individually wrapped balloons containing suspected tar heroin. Syringes were also recovered from Suspect Torres' pocket. No weapon was found at the scene. Detective Sarti submitted an arrest report regarding this incident. Refer to **[EXHIBIT D]** for more detailed information.

Detective Jack S. Jordan III, #[redacted]

Detective Jordan told IAB investigators he and Detective Sarti were showing Detective Roth, who was newly assigned to Century OSS, the area and the boundaries of the Florencia 13 gang injunction. Detective Sarti was driving, he was the front passenger and Detective Roth was seated in the rear of the vehicle.

They saw Suspect Torres weaving between the lanes on a bicycle **[EXHIBIT B]** as if he was going to strike the parked vehicles. They drove closer and attempted to stop Suspect Torres for a possible driving under the influence investigation. From a distance of about eight to ten feet, Detective Sarti sounded the air horn and illuminated the forward facing red light. Suspect Torres turned around, looked in their direction and ignored their commands to stop. Detective Jordan stated he believed when Suspect Torres was arming himself when he reached into his waistband with his right hand. Suspect Torres accelerated on his bicycle while pulling upward on his waistband, with his right elbow moving outwards and upward.

Detective Jordan stated he alerted Detectives Sarti and Roth that Suspect Torres may be preparing to shoot them. From a speed of approximately 10 MPH, Detective Sarti tapped the rear tire of the bicycle with his vehicle **[EXHIBIT C]**. Suspect Torres' left hand extended forward causing the bike to turn to the right, as he fell over the handlebars landing on his shoulder and side. Suspect Torres complied with their verbal commands to place his arms behind his back and lay on his stomach. Detective Roth handcuffed Suspect Torres without incident.

Detective Grant Roth, #[redacted]

Detective Roth told IAB investigators Detectives Jordan and Sarti were showing him the safety zones for the Florencia 13 gang. They were southbound Dearborn Avenue in Detective Sarti's unmarked Crown Victoria as he was in the back seat behind the cage. They saw Suspect Torres swerving back and forth on a bicycle **[EXHIBIT B]**. It appeared to him that he was looking in vehicles as he passed them by and also that he was intoxicated.

They were within ten feet behind Suspect Torres when Detective Sarti turned on the takedown lights and sounded the air horn to get his attention. Suspect Torres looked back, quickly turned around took his right hand and pulled on his waistband repeatedly. Detective Roth stated he thought was Suspect Torres was reaching for a gun. Detective Jordan said, "Hey, he's getting a gun! He's getting a gun!"

Suspect Torres continued to reach so violently at his waistband that he almost crashed. Suspect Torres discarded a piece of paper and tugged at his waistband again repeatedly. Deputy Sarti struck Suspect Torres' back tire with the vehicle **[EXHIBIT C]** at approximately 5 MPH. He did not see Suspect Torres fall down because he was exiting the vehicle at the same time. Detectives Jordan and Sarti held Suspect Torres at gunpoint while he handcuffed and searched him without incident.

Detective Sarti recovered the object Suspect Torres discarded, which he admitted to being tar heroin. Ten empty syringes were recovered from his pants pocket.

SUSPECT INTERVIEW

Peter Torres

Suspect Torres told IAB investigators he was riding his bike in a straight path and noticed a car approaching him from behind. He was going fast on the bike so he didn't see who was in the car. He looked back the second time and heard somebody shout, "Stop!" He turned around a third time and saw the front passenger in the vehicle had a gun pointed out of the window at him, which was when he realized they were Deputy Sheriffs. Suspect Torres stated he did not hear a siren. Just as he was going to stop, they said "Stop!" again, at which time the front bumper of the vehicle **[EXHIBIT C]** struck the back tire of his bike **[EXHIBIT B]**, causing him to tumble over the handlebar and land on the ground on his left side.

Suspect Torres stated prior to the vehicle impacting his bike, he dropped five balloons of tar heroin from his right hand and began pulling on his right pant leg **[EXHIBIT E]**, which was caught in the sprocket. He also stated the deputies didn't apply any other force.